

# KENTUCKY GAZETTE.

[NUMB. XIII.]

SATURDAY, DECEMBER 12, 1795.

[VOL. IX.]

THE SUBSCRIBER  
Has again taken possession of his  
LIVERY STABLE;

Which for the three last months  
have been in the possession of BIL-  
LY DAILY. The care taken of,  
and attention paid to horses before  
he rented the Stable, he hopes was  
such, as gave very general satis-  
faction to those gentlemen who  
were pleased to favor him with the  
care of their horses. The same  
attention shall for the future, be  
paid. His Hay Oats, and Corn  
shall always be fresh and good.—  
Attendance will be punctually given  
at the above Stable.

John Kennedy.  
Lexington, December 5.  
A generous price given for  
CORN, OATS, and HAY, for the  
use of the above Stable. 3w

Wanted to Purchase,

By the subscriber,

A QUANTITY of good clean  
Barley, old Wheat and Rye,  
also a quantity of Hops, for which  
a generous price will be paid in  
Cash, when delivered at the Brew-  
ery in this place, known by the  
name of major Short's Brewery.  
JOHN HOLMES, jun.  
Lexington, Aug. 31, 1795.

NOTICE,

To all the good people of this place  
as well as those who may fre-  
quent the same,

THAT I have the pleasure of  
informing them of opening a  
BAKE-SHOP in the house of Mr.  
Benj. S. Cox, near the corner of  
Main and Cross streets, formerly  
occupied by Isaac Ware, where  
they may be supplied with BREAD,  
CAKES and BEER, as well as DIS-  
CUSES for travellers, at the shortest  
notice, equal to any in this state,  
by their most obedient humble ser-  
vant.

GEORGE A. WEAVER.

Lexington, Oct. 5, 1795.

FOR SALE,

Five Hundred acres

LAND

LYING near the head of Cedar  
creek, about fourteen miles be-  
low Frankfort, any person inclin-  
able to purchase, may be informed  
of the quality and situation of the  
land by applying to Colonel Wil-  
liam Steel of Woodford, or Mr.  
William Stafford of Fayette.—My  
price is one hundred pounds.

Eli Cleveland.

December 1.

FOR SALE,

Two or three

HOUSES and LOTS,

In the Town of CENTINARA,  
Situated on Main Street and wa-  
ter street, either of them are an  
excellent stand for a store or tavern,  
one of them has been used as a ta-  
vern, and furnished with a stable  
and several other conveniences, and  
convenient to water; another large  
house not quite finished, the other  
is at present occupied as a store, and  
partly well finished. The whole  
will be sold together or separate to  
suit the purchasers, who may apply  
for terms to the subscriber on the  
premises.

W. Coleman.

November 23, 1795.

The subscriber has FOR SALE,  
A QUANTITY OF

EXCELLENT VINEGAR:

Which he will sell by the bar-  
rel or gallon.

Jacob Kiefer, Distiller.

Lugton, October 24.

ALL those indebted to the sub-  
scribers, by bond, note or book  
account, are earnestly requested to  
discharge them on or before the  
20th of December next. Those who  
do not avail themselves of this no-  
tice, may expect the next to be a  
legal one.

Alex. & Jas. Parker.

FOR SALE,  
A Valuable Tract of  
LAND,

Adjoining the Town Lots of

LEXINGTON;

CONTAINING 200 acres;  
the whole of it enclosed; about  
sixty acres well cleared and under  
good fence; fifteen acres of which  
is excellent Timothy Meadow, with  
a fine stream of water running  
through it, and a never failing  
spring; a Peach and Apple orch-  
ard. For terms apply to ALEX. &  
JAMES PARKER, in Lexington.

TO BE SOLD

One hundred acres of  
LAND,

WITH a never failing spring,  
within two miles and a half  
of Lexington; twenty-five acres  
cleared, eleven or twelve of which  
are in clover, blue grass and timo-  
thy, also several convenient houses  
—The title indisputable. Apply  
to ALEXANDER & JAMES PARKER,  
Lexington, September 2.

FOR SALE,

A tract of LAND,

Containing about thirty acres, ly-  
ing within one quarter of a mile  
of Lexington. ALSO

Two LOTS,

lying on High street, on which  
is an excellent dwelling house of  
hewed logs, with a stone chimney,  
and conveniently laid off into ap-  
partments, a good kitchen and out-  
buildings.—For terms apply to A-  
LEXANDER & JAMES PARKER  
of Lexington.

A QUANTITY OF

PORK WANTED

On the Spot.

For which a generous Price will be  
given in Cash and Merchandise, by  
Alex. & Jas. Parker.  
Lexington, November 9.

TAKEN up by the subscriber liv-  
ing in Clarke county, on upper  
Harrod's creek a foretell Horse with  
a blaze face, 13 hands 3 inches high,  
9 years old, has a crop off the left  
ear, branded on the near shoulder  
and buttock with a star and iron, a  
scar on his dear cushion, the left  
hind foot white, some saddle spots,  
natural pacer, appraised to £7.

Ben. Dunaway.

October 24.

THE PRINTER OF THIS PAPER,  
HAS FOR SALE,  
A few Copies of SERMONS, Ad-  
dressed to YOUTH.  
By the Rev. J. Toulmin, D. D.  
Minister of the Baptist Church at  
Launton in Great Britain.  
(Price one dollar and a quarter.)  
Likewise, single Sermons and  
Charges, by the same author.

JUST PUBLISHED,

AND FOR SALE AT THIS OFFICE,  
By the Cross, Dozen, or Single,  
THE KENTUCKY

ALMANAC,

For the Year 1796:

Containing, (Amongst other  
things common to Almanacs,) a  
short treatise on the culture of the  
Vine in America.

ROBERT GALLOWAY,  
Has JUST RECEIVED, and is now  
OPENING, at Hugh Shannon's  
Mill, on South Elkhorn,

A Large and General Assort-  
ment of

MERCHANDIZE;

WHICH he will dispose of on  
reasonable terms for Cash,  
Whiskey, Pork, Wheat, Corn or Hog's  
Lard.

December 3.

Will be exposed to Sale at

PUBLIC VENDUE.

On my Plantation in Woodford  
county, on the 15th day of De-  
cember next, Sixteen head of

HORSES; (Viz.)

THREES, Colts, Geldings, and  
Mares of best blood. Twelve  
months credit will be given, and  
good security will be required by  
Simcon Buford.

November 15.

M'COUN & CASTLEMAN,  
HAVE JUST RECEIVED, AND NOW  
OPENING,

At their STORE, second door below  
the sign of the Buffalo, a large &  
general Assortment of

MERCHANDIZE,

CONSISTING OF

Dry Goods and Groceries  
of all kinds;

Which they are determined to sell  
low for CASH HIDES and Country  
Linen.

Lexington, August 10, 1795.

BAIRD AND OWEN,

AT THEIR

NEW STORE,

NEXT door to Mr. M'Nair's  
tavern, and nearly opposite  
the court house, have just receiv-  
ed, and are now opening, a large  
and general assortment of MER-  
CHANDIZE, suited to the season,  
which they will sell whole sale and  
retail on their usual low terms.  
They return thanks to their  
friends for the encouragement  
they have experienced; and beg  
leave to inform them that they  
have removed their Store from  
the lower end of Main and Cross  
Streets, where they first opened,  
to the place mentioned above,  
where they intend conducting  
their business in the same manner  
they have done heretofore; and  
as they expect their customers re-  
quire no other recommendation,  
they request a call from the pub-  
lic, who, they presume, will be  
equally pleased with their mode  
of dealing.

24 Dollars Reward.

STOLEN from my pasture in  
Knoxville on the night of the  
4th July last, two elegant bright  
bay geldings, about 14-2 hands  
high, one a little larger than the  
other they are the property of  
William C. Clayborn attorney at  
law, who has been informed that  
said horses have been sold in  
Madison county Kentucky, by a  
certain Love Snowden, who has  
been once killed on the cumber-  
land mountain. The above reward  
with reasonable charges will be  
given to any persons who will  
deliver said horses to me in Knox-  
vill, or 12 Dollars for such in-  
formation given to Samuel M'  
Daniel of Harrodsburg Kentucky,  
or to me, as will enable either  
of us to find said horses.

John Stone.

November 12.

THOMAS HART & SON,  
Have Just Received, and are now  
opening,

An EXTENSIVE and GENERAL

Assortment of

MERCHANDIZE,

Which they will sell LOW by  
Whole Sale or Retail.

They have also a large assort-  
ment of

Boulting Cloths, & Copper,  
Which they will sell at a more  
reduced price than they have ever  
been sold at in this country.

FOR SALE,

The following tracts of

LAND, (Viz.)

TWO thousand acres on Salt ri-  
ver, twelve miles above Hul-  
let's lick, Jefferson county.

Five hundred acres on Cedar  
creek, Nelson.

Two hundred do. do.

Two hundred do. do.

Two hundred do. near Bullitt's  
licks.

Two hundred and fifty do. on  
Hay's fork of Silver creek, Madis-  
son.

Three hundred and forty-eight  
and two thirds do. near the mouth  
of Green river.

Five hundred do. on Cabin  
creek, six miles above Limestone,  
near the Ohio.

Three hundred and fifty do. five  
miles East of Lexington, on North  
Elkhorn, Fayette; with an im-  
provement of forty acres cleared  
land, a dwelling house twenty-four  
by eighteen, of hewed logs, a kit-  
chen eighteen by sixteen, of do.  
and some cabins, cribs &c. about  
four acres planted with peach  
trees, a hundred and odd apple  
trees, and some meadow. The  
terms of said lands will be made  
known by applying to the sub-  
scriber living on the last mentioned  
tract.

William Porter jun.

P. S. I have also for sale, four  
or five head of HORSES, amongst  
which is a full bred Sand Horse, of  
an elegant form, upwards of fif-  
teen hands high.

3w/6

W. P.

STRAYED or STOLEN from  
the subscriber living in Lex-  
ington, on Wednesday night, a  
likely black MARE, about four  
feet nine or ten inches high, six  
years old, with a bit cut out of her  
left ear, her left hind foot white,  
branded on her left shoulder nar-  
rily thus A some saddle spots, had  
all round, some white hairs in her  
forehead. Whoever will deliver  
the above described Mare to the  
subscriber, shall be handsomely  
rewarded for their trouble.

Richard Tarrell.

Lexington, November 13.

TAKEN up by the subscriber,  
on Stoner, Bourbon county,  
a bay Mare, five years old, four-  
teen hands high, a star and snip-  
ple the two near feet white; apprais-  
ed to £10.

Edmund Mounion.

March 17.

I hereby forewarn all persons from  
making an assignment on a bond,  
given by me, with John M'Dow-  
ell security, to William Hoghead,  
for the sum of fifty pounds, dated  
in October last, and payable on  
demand. My reasons for advertis-  
ing this bond is, because the ne-  
gro which I purchased of said  
Hoghead is disordered, and not  
agreeable to his bill of sale.

JOHN GORHAM.

November 30.



**FOR SALE,**  
Six thousand acres of  
**MILITARY LAND,**  
LYING on Elk creek, one of the  
waters of Muddy river. This  
Land is situate within twelve miles  
of Vienna; there is good boat na-  
vigation from the land; it lies  
well, is well watered and timbered;  
contains a sufficient propor-  
tion of meadow ground, and is  
said to be equal in quality, to any  
tract of the same extent, in that  
part of the country. A general  
warranty will be given to the pur-  
chaser.

George Nicholas.  
December 1. 3w

### PAPER & FULLING.

THE public in general, and my  
customers to the Fulling Mill  
in particular, are hereby informed,  
that my Rag flage will attend the  
first day of every Fayette and  
Bourbon court, near the court-  
houses, where the person who at-  
tends, will deliver dressed cloth,  
and receive cloth for the Fulling  
Mill—and exchange writing paper  
for clean linen rags. It is hoped  
the considerate part of the people  
will encourage the Paper Mill, by  
taking a boy to court with them,  
two or three times a year and give  
rags for Paper.

A journeyman Fuller will meet  
with encouragement by applying to  
the subscriber at Georgetown.

Elijah Craig.  
December 8. 3w

### SAMUEL AYRES,

RESPECTFULLY informs his  
friends and the public in gen-  
eral that he has removed his shop  
higher up on Main street, next door  
above Mr. Moore's, and nearly op-  
posite the Free Mason's lodge,  
where he still continues to make  
and repair all kinds of Gold and  
Silver work and repair watches in  
the neatest and best manner. All  
those who please to favor him with  
their custom, may depend on hav-  
ing their work done as expediti-  
ous as the time and nature of the  
business will admit.

Lexington, February 7

TAKEN up by the subscriber,  
living in Bourbon county, on  
on Brush creek, a gray filley, three  
years old, 13 hands high, trots  
and paces, branded on the off thigh  
with the appearance of a D, apprai-  
sed to \$6.

John Fessler.

May 12 1795.

TAKEN up out of the settlement  
by the subscriber, living on  
the four mile creek, Clarke county,  
a small foal mare, about 12 hands  
and a half high, about 16 years  
old, no brand. Also a small brown  
yearling colt; the two appraised  
to \$6.

Philip Bush.

TAKEN up by the subscriber,  
living on lower Howard's  
creek, about three miles from Win-  
chester, in Clarke county; a black  
filley two years old past, about 12  
hands three inches high, branded  
on the near buttock IT, appraised  
to \$6.

Also a bay horse colt, one year  
old, the hind feet a little white,  
no brand; appraised to \$1.

Abner Lott.

September 22.

WHEREAS I paid my bond  
to Abraham Ramer of Logan  
county, for two hundred and eighty  
pounds, one hundred of which  
to be paid in a negro man named  
Hob, and the balance in cash, horses  
and store goods. This is to  
forewarn all persons from taking  
an assignment on said bond as I will  
not pay it until I get a title from  
said Ramer to a tract of land on  
big Barren river, on the road to  
Cumberland, for which I gave said  
bond.

William Jones.

December 8, 1795.

### REAL ORIGIN OF THE WAR.

THIS is a subject as much as dis-  
puted as the probability of a  
counter revolution in France, or  
the expediency of a parliamentary  
reform in England. Mr. Pitt has  
said, it was originated by the ne-  
cessity of defending our allies, and  
preventing the aggrandizement of  
the French, while Mr. Fox has  
maintained it to be a war for the  
restoration of despotism. Mr.  
Dundas has asserted it to be purely  
a defensive war, and has been an-  
swered by Mr. Grey, that it was  
undertaken with the sole view of  
dividing and plundering a great  
nation; and Mr. Burke has con-  
tended it to be for the restoration  
of the emigrants, and the destruc-  
tion of principles, subversive of  
all government, religion, and even  
of civil society, which Mr. Sheri-  
dan has denied, arguing, that it in  
fact originated in a hatred towards  
the cause of freedom itself. What-  
ever may have been the various  
motives for commencing or carry-  
ing it on; whether defence of  
the Scheldt, to repress the ambi-  
tion of France, to force her to revoke  
her system of fraternity, to divide  
her territories, or to restore either  
a regular government or despotism,  
it is curious to know how the war  
originated; and as historians of-  
ten discover important facts long  
after they happened, so the real  
origin of the present war has only  
now come within our know-  
ledge.

It may be remembered, that on  
the eve of hostilities, Mr. Pitt and  
Mr. Dundas resided into the house  
of Commons; the first was potestant,  
as much as possible, to be up-  
on his guard.—Mr. Lambton,  
and several questions to Mr. Pitt  
respecting the probability of a  
rupture, which Mr. Dundas was  
afraid the spirited temper of his  
colleague would answer too expli-  
cily; and in this apprehension he  
whispered *Bully to beware*; but his  
thick speech and Scotch brogue,  
conveyed to an English ear the  
sound of *Beware Bully, beware—  
Bully beware; beware Bully, be-  
ware!*

This advice Mr. Pitt understood  
to be *War*; and consequently,  
when he was asked whether we  
were to look for peace or war with  
France, he loudly answered *War!*  
His language was eagerly adopted  
by the surrounding troop of  
placemen and pensioners, who with  
great vehemence echoed *War! War!  
War!* The more Mr. Dundas  
cautioned the premier to *beware*, the  
more loudly he exclaimed *War! War!*  
And ministers finding they  
had accidentally declared for hosti-  
lities, were too proud to retract.

Such was the real origin of the  
war.—It began in intoxication, and  
has been carried on with so little  
caution; that we may presume, its  
conductors have never since recov-  
ered their sober senses.

### NANTZ, Sept 4.

Yesterday morning our post at la  
Maison Blanche on the road to Pa-  
ris, about 10 miles from this city  
was unexpectedly attacked by a  
corps of at least 4000 Chouans.  
The Republican detachment, com-  
posed of 300 men, fought their way  
through the mass of the Brigands,  
and fell back to Mauves, where,  
seconded by the fire of a bomb-  
ship stationed in the Loire, they  
were able to baffl the hopes of  
the royalists.—We had in this en-  
gagement 4 killed and 11 wound-  
ed, who have since arrived here.  
The loss of the Chouans must have  
been much more considerable, for  
their numbers were so superior to  
ours, that every Republican ball  
must do effect; and the volun-  
teers made a terrible havoc among  
them when they broke through  
their unwieldy mass. The Chou-  
ans are always provided with car-  
riages, which serve them to carry  
off their wounded and killed. This  
circumstance proves that their loss  
will never be given with any de-  
gree of certainty. However, our

volunteers have found many of  
them in the vineyards, who were  
dangerously wounded and expir-  
ing.

### Sept 6.

Our latest intelligence from  
Spain tends to corroborate the  
belief that the dominions of the  
Molt Catholic King are not so far,  
as is commonly supposed, from  
feeling the effect of the political  
convulsions which threaten the rest  
of Europe.

They write from Lisbon, that  
notwithstanding the British still in-  
fluence the operation of the Por-  
tuguese ministry, the inhabitants  
in general sigh for peace with the  
French. The republican private-  
ers are continually harassing the  
Portuguese; they have just cap-  
tured eight merchantmen, that car-  
ried on the slave trade on the coast  
of Africa; the French set all the  
negroes free, carried off the Por-  
tuguese sailors and scuttled the  
vessels, because they had not peo-  
ple enough to man them.

### NEW-YORK, November 2.

Just arrived, the ship *Minerva*,  
fifty days from London. Captain  
Clarkson has favored us with a  
London paper of the 8th of Sep-  
tember, by which we find a report  
that the empress of Russia had de-  
clared war against the king of  
Prussia. This report is taken from  
a Paris paper of the third of Sep-  
tember, which is so particular as  
to recite the motives of the em-  
press verbatim. No news of this  
event had arrived in England by  
the Hamburg mail.

The French ship *Montague*, of  
120 guns, is said to be lost on the  
rocks near L'Orient.

The Spanish government intends  
to send a force to St. Domingo, to  
protect it until the French shall be  
able to send a force to take posses-  
sion. Further details to-morrow.

### Nov. 5.

Late last evening the brig *Har-  
mony* captain Boll, arrived at this  
port, in 54 days from London, by  
whom we have received the *Morn-  
ing Post* of September 8 and 9.  
That of the 9th contains a concise  
account of the proceedings of sev-  
eral primary assemblies, who had ac-  
cepted the constitution with great  
eclat. News of the Parisian pro-  
ceedings on this subject (who were to  
meet September 7) were anxiously  
waited for.

Extract of a letter from a gentle-  
man in London, to correspondent  
in this city, dated September 10.  
"I wrote you under yesterday's  
date by this conveyance; but the  
Captain being still here, I have  
pleasure in informing you, that the  
orders of our government for bring-  
ing in American vessels laden with  
provision, is rescinded;—a mea-  
sure that I flatter myself will give  
great satisfaction in America."

### BALTIMORE November 10.

Yesterday arrived the brig *Rover*,  
Capt. Smith, in six weeks from  
Gibraltar, by whom we have receiv-  
ed the important and long wished  
for intelligence of a *PEACE* be-  
tween the United States and the re-  
gency of Algiers; dispatches for  
the Executive containing an ac-  
count of the negotiation, C. Smith,  
lodged in the post-office yesterday;  
By him we also have the very im-  
portant news, of a declaration of  
WAR by the Algerines against  
Great-Britain. This intelligence  
was not the mere report of the day,  
but was received by our consul at  
Gibraltar, in a letter from O'Brian  
at Malaga, where he has resided  
since his release from slavery at  
Algiers, and where he was when  
Captain Smith left Gibraltar.

The news of the day at Gibraltar  
was, an approaching war between  
Great-Britain and Spain, which  
was prefaced by politicians, and  
eagerly wished for by the officers  
of the garrison and navy. Every  
preparation was making for such an  
event, and ten regiments were ex-  
pected to garrison the rock, on which  
had been erected several new works,  
and the old ones repaired.

### VERY IMPORTANT!

Yesterday arrived here the ship  
Louis, Captain Deale, in 50 days  
from Nantz. By this arrival we  
have received Paris papers to the  
tenth of September, extracts from  
which shall appear as soon as trans-  
lated. The following truly im-  
portant intelligence was receiv-  
ed at Nantz, expels from Paris  
the day the Louis sailed viz. Sep-  
tember 16.

PARIS, September 10.  
**EQUALITY. LIBERTY.**  
*Passage of the Rhine by the Republi-  
can troops.*

Head Quarters, at Charlevet, the  
20th of Fructidor Third Year  
of the French Republic. One  
and Indivisible (6th Sep.)  
Gillet Representative of the peo-  
ple of the armies of the North,  
the Sambre and the Meuse, to  
the committee of Public Safety.

The left wing of the army of the  
Sambre and Meuse, dear collea-  
gues, we have this day forced the  
passage over the Rhine, between  
Dillburg and Dusseldorf, in person  
of a formidable army, who had,  
time to entrench themselves with  
all the rules of art.

The army of the enemy has been  
totally routed and now we are  
complete masters of the whole duty-  
ch of Berg.

The chancel of Dusseldorf was  
taken by storm by the battalion of  
grenadiers of the division of ge-  
neral Champenot, commanded  
by captain d'Honniers, and the  
city capitulated instantly.

The expedition is the cause  
that this portion of the army have  
not yet accepted the constitution;  
but the royalists will have no cause  
to triumph on account of that de-  
lay. Soldiers who have yet in  
their hand the thunderbolt with  
which they have so often exter-  
minated the foemen of kings,  
will never suffer that a new tyrant  
should reign over their country.  
The constitution shall be presented  
to the army the first moment of  
their repose; and I can assure you  
before hand, that it will be to them  
a day of exultation.

We have taken from the enemy  
an immense quantity of artillery  
and ammunition.

By the first courier I shall for-  
ward the official report of the ge-  
nerals. History will record that  
glorious day. It well deserves a  
place amongst the most famous vic-  
tory of this war; it completes the  
heroic achievements of this gallant  
army.

Health and Fraternity.  
(Signed) GILLET  
The foregoing is an exact copy  
taken from the original.  
CAMBRACES, President.  
DAUNOU, Secretary.

An express also arrived the same  
day at Nantz, with information,  
that another debarkation of emi-  
grants, consisting of about 4000  
men, headed by the Count d'Ar-  
tois, had landed in Quiberon Bay  
with a few regiments of British  
infantry; and that the only sena-  
tion this fresh influence of British  
force had created at Nantz, was  
surprise; that instead of exposing  
those few troops to certain destruc-  
tion, on Quiberon Bay, they had  
not landed them nearer the head-  
quarters of Gen. Charrette, where  
they might have been properly sup-  
ported.

A very prevailing report in town  
yesterday, on the arrival of the  
ship Louis, was, that Mr. Aberne-  
thy, who came in her form Nantz  
had informed some of his friends,  
that the French had taken Mentz,  
and crossed the Rhine, under Gen.  
Pichegrue, who with a victorious  
army of 10,000 men, had nothing  
to impede his march to Vienna  
—and that the emperor, seeing the  
eminent danger that threatened  
them, dispatched Couriers to Piche-  
grue, requesting armistice, and  
informing him of his ready accept-  
ance of the treaty of Basle, on condition  
that all further hostile operations



should cease. An unusual degree of industry has hitherto been ineffectual in putting us in possession of any particulars of this very important intelligence.

PHILADELPHIA, Nov. 14.  
Letter from Mr. Randolph to Mr. Smith.

Philadelphia, Nov. 7, 1795.

SIR,  
As you have lately struck off the statements, which are to precede my general letter of vindication, and are in possession of a considerable part of that letter; you are at liberty to say, that the whole will be shortly published. The intercepted letter of Mr. Pancher, upon which theanders have been propagated, consists of many pages and is not confined to a single subject, as has been supposed; but it was necessary, in explaining the paragraphs which involve me, to review most of the important acts of the executive from the beginning of the year 1794 to the time of my resignation—all the papers belonging to them, among which was a very essential one, I did not receive until the 2d ult. But I am this moment informed, that a translation of that letter, which I expected from a particular quarter is inattainable, and that I must have that branch of the work executed myself. Unaided by a copyist, & interrupted by the business, preparatory to my return to Virginia, I could not be as expeditious, as my friends and myself wish. But they may be assured, that there has been, and will be no hesitation or delay, which will not appear unavoidable. The remainder of the general letter will be copied, and the translation will be complete, as soon as possible, and forwarded to you.

ALEXANDRIA, November 2.

A report is in circulation that the king of England had, by proclamation, dissolved his parliament and called a new one. We cannot trace the report to its source; but we are far from thinking such an event impossible. The present parliament has been more than 4 years in existence, the numerous petitions to them demonstrate that they do not represent the feelings of the nation. A dissolution of it is therefore necessarily preparatory for peace. As a circumstance indicative of the probability of the report we mention, that we have seen advertisements in the London papers, from members of parliament thanking their constituents for their past support, and soliciting their further suffrages, "should a dissolution of the parliament take place." [Boston Centinel.]

PITTSBURGH, November 21.

The emigration to this country this fall, surpasses that of any other season—and we are informed that the banks of the Monongahela, from McKee's Point to Red Stone, are lined with people intending for the settlements on the Ohio, and Kentucky.

As an instance of the increasing prosperity of this part of the state, land that two or three years since was sold for ten shillings per acre, will now bring upwards of 3l.

FRANKFORT, December 5.

On Tuesday night last, the jail of this place was broken, and escaped from thence, Thomas Armstrong, John Jones, Elijah Jones, and Charles Bailey, felons, who were committed for horse stealing. It is hoped every virtuous citizen will use his utmost endeavours to apprehend and bring to punishment such enemies to society.

Lexington, December 12.

Extract of a letter from Fort Wayne, dated Nov. 12, 1795.

As to news we have but little; we have almost daily reports from Detroit, that the British do not intend giving up the posts: that they are strengthening their works and increasing the number of troops. The Indians have done no mischief, except borrowing a few

horses, which they will return, if we give them whistly enough.

"The commander in chief has built three small forts this fall—one at Lormie's store, the head navigation of the Miami; one at Kitletown, the head navigation of St. Mary's; and one at the Pickaway towns on the Miami. The transportation of provision to the advanced posts will be entirely by water, by the route of the Miami and St. Mary's.

[K. Herald.]

From a Philadelphia paper of November 11.

On Tuesday last arrived here, after a passage of seven weeks, the schooner, White Fish, built last summer at Presque Isle on Lake Erie. The tediousness of the voyage was owing to the inclemency of the weather.—She is only 17 and 1/2 feet keel, and 5 feet 7 inches beam. This small vessel was built and navigated by two young men, citizens of the U. States, born in the vicinity of this city; they had neither chart nor compass.—Her departure was from Presque Isle, along Lake Erie, to the Falls of Niagara, 110 miles; thence by land, to the landing below the Falls, 10 miles; thence to the garrison of Niagara, 7 miles; thence along the south coast of Lake Ontario, to the river Oswego, 140 miles; thence up the river Oswego to the Falls, 20 miles; thence by land round the Falls, 1 mile; thence up the same river to Three River Point, 12 miles; thence up the Straits leading to the Oneida Lake, 19 miles; thence through the Oneida Lake, 28 miles; thence up Wood Creek, 30 miles, to the landing between Wood Creek and Mohawk River; thence by land, passing Fort Schuyler, formerly Fort Stanwix, 1 mile into the Mohawk River; thence down the Mohawk River, 60 miles to the Little Falls; thence round the Falls 9 miles, one mile, to the landing; thence down the same river 60 miles, to the Schenectady; thence by land 25 miles, to Albany; thence down the river Hudson, 170 miles, to the city of New-York; thence by sea, 150 miles to the Cape of the Delaware river; thence up the Delaware to this city, 120 miles—making in all, 947 miles.

The design of this voyage, (the only one ever attempted in the same way) was a disinterested experiment, to prove some of the great advantages which may in future be derived to the United States, from the speedy settlement in and about the new town of Erie, in this state. The white fish (so named from a luxurious fish, in ichthyology, peculiar to the lakes) sail anchor opposite Market street wharf, and gave the city a federal salute of fifteen rounds from a blunderbuss, which was returned by three hearty cheers from a multitude of citizens, who crowded the wharves and vessels, in this port to receive them, for accomplishing this hitherto unexperienced navigation—the two gentlemen certainly deserve well of their country.

The writer, who is well known to the printers, was present at the laying of the keel, the building, launching, and naming of the vessel, and has thought it his duty to make it public, in justice to the merits of the enterprising adventurers.

From Paris prints it appears that the wish of the French people is to have general Pichegrue, the ambassador Barthelini, and Boidy d'Anglas, placed in the executive directory.

To complete the number of five members of which the directory is to be composed, they wish that the legislature may make choice of a profound lawyer and an experienced seaman.

The latest Genoa papers contain some accounts, which give reason to conjecture, that while the military operations are pushed on with vigour on the borders of the Rhine, the French troops stationed on the

frontiers of Holland are on the point of attempting an invasion of the northernmost provinces of Germany.

The brave general Rochambeau, who in 1793 repelled the attack made by admiral Gardner, and who sustained so gallantly, in 1794, a siege of 69 days, with a handful of men, against the formidable forces of Sir Chas. Grey and Admiral Jarvis, is exchanged for Gen. Ohara. The French Patriots of Martinico who love and esteem him, wait with impatience his return to the islands, where he is to go, it is said, according to a late determination of the convention, who have thereby done justice to his courage, talents, and integrity.

FOR SALE.

Twenty five thousand acres of KENTUCKY LAND; ABOUT fifteen thousand of which lies within ten miles of the Big Bone lick. Also sixteen hundred acres on the head of the Twin creeks. About two thousand between Elkhorn and Kentucky. Four thousand on Cabin creek. Two thousand near the little Yellow Banks, below Salt river; and one thousand on Locust creek.—The terms of sale of the above lands will be made known on application to Mr. WALKER BAYLOR of Lexington, or to the subscriber, who will generally be at Frankfort or Georgetown, for two or three weeks.

THOMAS DIXON.  
December 12.

FULLING MILLS.

JOHN TODD

INFORMS the public, that he has employed JOHN McMILLIN, FULLER and DYER, from a Northern State, to carry on the above business in its different branches, branches on the Kentucky river, near Todd's Ferry; and hopes from a constant attention to merit the favor of those who may employ him.

\* \* He also dyes Green, Blue, Claret, Pompadour, &c. &c.  
15th Nov. 1795.

WILLIAM SCOTT,  
FULLER.

RESPECTFULLY informs his friends and the public, that he carries on the

Fulling & Dying Business  
In its various branches.

On the Town Fork, within six miles of Lexington; where all those who will favor him with their custom, may depend on the strictest care and dispatch. He will also attend at Mellis, Trotter and Scott's store in Lexington, the second Tuesday in every month.

\* \* He dyes Bottle Green, Blue, &c. &c.  
13th November 16.

Notice

IS hereby given to all persons whom it may concern, that commissioners are appointed by the county court of Bourbon, under an act of Assembly entitled "An act to establish the boundaries of lands, and for other purposes," who will meet on the twenty-second day of December next, for the purpose of taking the depositions of witnesses, to ascertain and establish a certain improvement made for Jesse Hodge, of a settlement and preemption of fourteen hundred acres; which improvement lies on Strade's creek one mile below Hornbeck's mill—the said settlement and preemption was patented in the name of Ralph Morgan; and part of the said land was transferred by deeds of conveyance to James Beeth, Samuel McCray, Joseph Hodges, James Strode and James Anderson, of Bourbon county, by said Morgan. The Commissioners will meet on the day appointed at said Hodge's improvement.

RALPH MORGAN.  
JAMES BEETH.  
October 26, 1795.

NICHOLAS BRIGHT,

BOOT AND SHOE-MAKER,

INFORMS his friends and the public, that he has opened shop at the corner of Short and Upper streets, and opposite Mr. Morrison's store, in Lexington: where he carries on the above business in all its various branches. Those who please to favour him with their custom, may depend on having their work done in the neatest and best manner, and on the shortest notice.

November 16.

Thirty Dollars Reward.

STOLEN from the subscriber's plantation in Scott county, two miles north of Georgetown, on the 24th of November last, a brown mare, seven years old, five feet one inch high, trois and paces, a few travel, a small star and ship, long switch tail, with some white hairs in it, branded on the near buttock with a piece. She has a dark bay horse Colt, six months old, a round star, one hind foot white, his tail docked. I will give a reward of Ten Dollars for the above described creatures, if they are taken out of the county; or for them and the thief, (if he be brought to justice) the above reward. WILLIAM FRAZER.  
December 9.

NOTICE.

THAT commissioners appointed by the court of Clarke county will attend on the thirty-first instant, at an old Buffalo lick on Lulburg creek a branch of Red river, near the mouth of the old field spring branch, then and there to take depositions of certain witnesses to perpetuate certain testimony respecting two entries made in my name, in the year 1780; one made the 16th of May for 2000 acres, the other the 30th of June for 400 acres; and do such other act or thing as may be deemed necessary, and according to law.

John Pointexter

December 10, 1795.

TAKEN up by the subscriber, in Mercer county, near the mouth of Hickman, a forrel mare colt, about two years old, a little hip shot, no brand perceivable, pitted and appraised to 65.

Samuel Renshaw.

November 6 1795.

TAKEN up on the plantation of John Eakin, in the county of Shelby, and waters of Griffs creek, flea bitten grey horse, about ten years old, thirteen hands and half high, branded on the off buttock with a heart and S; appraised to 3l. A copy. Jesse

James Craig, Clk.

Notice

IS hereby given to all whom it may concern, that pursuant to an act of assembly for ascertaining the boundaries of land and for other purposes; I have obtained an order of the county court of Bourbon county, and commissioners are appointed, who will meet on Tuesday the 22d of December next, to take depositions in order to ascertain and perpetuate an improvement made by William Hall near a spring, on the east side of a small branch that empties into the waters of Licking, in a preemption of 400 acres granted to Edward Hall heir to William, and by him assigned to Higginson Grubbs, who entered it and another preemption of 400 acres adjoining, granted to Thomas Hall, in the surveyor's office, May 30, 1780.

GEORGE M'COWN.  
November 25, 1795.

GENEROUS WAGES

WILL be given for able-bodied NEGRO MEN, to work at the Iron Works on Slate, where they will receive good treatment. Apply to Mr. John Breckinridge, or to the subscriber.

JOHN C. OWENS.



# STOLEN

ON the night of the 14th instant from the plantation of Mr. Joshua Taylor, about two miles from Frankfort, a likely bright bay MALE, about nine years old, nearly fourteen hands and a half high, slim made, blaze face, black mane and tail, trots natural, branded on the near shoulder BOON. Any person delivering said mare to the subscriber in Frankfort, shall receive a Reward of EIGHT DOLLARS, and all reasonable charges.

Isaac E. Gano.

November 18.

N. R. Persons employed in purchasing Pack-horses are requested to secure her if offered for sale, and detect the person offering her.

## WILLIAM WEST,

At his STORE, at the back of the Court House,

HAS OPENED FOR SALE,

On very low terms.

## A Handsome Assortment of MERCHANDIZE,

AMONGST WHICH ARE

SUPERFINE, and second Cloth and Calimere, plain and elastic Coatings, Flannels, Balize, Plains and Cardinals, striped and role Blankets, and Coverlets.

Corn, Rye, Oats, Brandy, Whiskey, Pork, Butter, Cheese, and bleached Country made Linens, will be received in payment.

Lexington, November 21.

## WANTED,

### TWENTY TENANTS,

TO lease a tract of LAND, lying within six miles of Lexington, to whom beneficial Leases for seven or fourteen years will be given by.

John Breckinridge.

November 10.

FRANKLIN from the subscriber, living near Parker's mill, a pair of dark brown OXEN: one with a white face, marked with an under-heel in each ear. Any person that will deliver them at his house shall receive five dollars reward.

WM. SHRESLEY.

I wish to purchase a quantity of PORK.

W. S.

WHEREAS I gave John Coffman my obligation to make him a deed to a certain tract of land, containing three hundred acres, lying and being in Lincoln county, on Green River, about four miles below the Pine Tick; and I have purchased said land and made full satisfaction for the same, I will not make a deed to any person whatever for said land: the aforesaid obligation was given in May 1784.

Christopher Rife

November 21.

TAKEN up by the subscriber, living about one mile below Lexington, on the Frankfort road, a sorrel mare colt, one year old last spring, with a blaze face, thirteen hands high, no brand, a natural trotter, appraised to six pounds.

John M'Connell.

October 3.

## PORK WANTED.

30,000 WEIGHT CORN FED PORK,

FOR which I will give the highest market price when delivered, two thirds in Cash, the residue in Goods. Also a quantity of well cleaned Hemp, Tow, Linen, Butter, Country Sugar Corn and Flax Seed. I will receive either of the above specified articles in discharge of book accounts.

J. MORRISON.

N. B. I will dispose of my Goods now on hand, at a moderate advance, by wholesale or retail, consisting of a handsome assortment, well suited to the season.

J. M.

## TENANTS WANT-

ED. A quantity of LAND in Jefferson county, lately leased of the Transylvania Seminary. It is most eligibly situated, on the Ohio and Harrod's creek, at the distance of about eight miles above the falls. The land is of the first quality, well watered and covered with the most luxuriant cane. The Beargrass settlements are within between two and three miles of it, and other settlements are forming on every side. There are good mills in the neighborhood, and it is intended to erect one very convenient to the settlers.

The land will be divided into tracts suiting the convenience of the tenants, and will be let for seven years, on either of the two following terms:

1. The Tenants shall have the land they clear, rent free for five years, and pay two dollars for each bushels of wheat per acre, for each of the two remaining years.

2. Rent free three years, and half a dollar per acre for the fourth year, —three quarters for the fifth, —one dollar for the sixth, and one dollar and a quarter for the seventh.

Further particulars may be had by enquiring at the store of THOMAS HART & SON, or of SAMUEL PRICE & Co. in Lexington, or of the Agent Mr. Woodrow, now on the land.

November 2.

Woodford County, Va.

To all Sheriffs, Mayors, Belliffs, Constables, and Headboroughs, within the Commonwealth of Kentucky:

WHEREAS complaint is this day made to me, that William Burditt, labourer, who was lately committed to the jail of the said county of Woodford, on suspicion of horse stealing; did, on the night of the twenty-seventh instant, forcibly escape from the said jail, and is now going at large. These are therefore, in the name of the commonwealth, to require you, and every of you, in your respective counties, towns, and precincts to make diligent search by way of hue and cry, for the said William Burditt, and him having sound to seize and retake, and safely convey, or cause him to be safely conveyed, to the jail of the county of Woodford, there to be kept until he shall be thence discharged by due course of law. Given under my seal this hand twenty-eighth day of October, 1795, in the year of our foundation.

JOHN CRITTENDEN, [LS.] William Burditt is about thirty years of age, five feet seven or eight inches high, with a down look.

TAKEN up by the subscriber, in Fayette county little north fork of Elkhorn, a black filly, one year old, last spring, a blaze face, hind feet white, branded on the near buttock R, natural trotter, appraised to 41. 10s.

John Ryley.

December 9, 1794.

## NOTICE.

THE Co-partnership of SEITZ & LAUMAN, is this day dissolved by mutual consent. All those who have any demands against said firm are requested to bring in their accounts for settlement without delay; and those who are indebted to them, by bond, note or book account, are desired to make immediate payment to the subscribers, otherwise they will be under the disagreeable necessity to compel payment in a legal way.

John A. Seitz.

Fred. Lauman.

Lexington, October 4.

N. B. They have on hand a large and general assortment of MERCHANDIZE, which they will sell low for Cash or a short credit, by whole sale.

## NOTICE.

THE Copartnership of ELISHA WINTERS & Co. will expire on the first day of December next. All persons having any demands, are hereby requested to call without delay; and those who are indebted, to make immediate payment, particularly those who have engaged produce, as none can be received after the said first day of December (unless under a particular engagement) and as the subscriber expects to leave this country soon after the expiration of the said copartnership, he will be under the disagreeable necessity of leaving all their bonds, notes and book accounts in the hands of a proper officer for collection.

Elisha Winters.

Lexington, October 22.

## NOTICE.

APRIL 9, 1795, John Halley enters four hundred acres of land on a certificate obtained from the court of Fayette county, for settlement December 11, 1782, to include an improvement made by said Halley in the year 1777, between the fourth fork of Elkhorn and Kentucky. As I am immediately interested respecting the claim to the said land, all persons whom it may concern are desired to take notice, that commissioners are appointed by the county court of Woodford, to take such measures for perpetuating testimony as the act of assembly directs—and that I shall attend with the said commissioners on Monday the 28th of this instant at sinkhole spring, on the said land lying on the East side of Glen's creek, to take depositions of sundry witnesses; near which spring is one or more trees marked with the letters L H.

Reuben Searcy.

December 7.

ALL persons are hereby forbidden from taking assignments of the following bonds, given by us to Joseph Hunter, viz. one for \$340, due the last day of November 1795, one for \$200 due the last day of November 1796 and one other for \$100, due the last day of Nov. 1797, as we are determined not to pay them either of them, unless compelled by Law.

Lawrence Toole

David Joutit

Robert Joutit

November 27 1795. 43w

The Subscriber having begun Manufacturing

## CORDAGE,

Wants a quantity of

GOOD WELL CLEANED

## HEMP,

(As no other kind will be received)

FOR which he will pay a GENEROUS PRICE in CASH and MERCHANDIZE, in the Stores of THOMAS HART & SON, or SAMUEL PRICE & Co.

Thomas Hart.

July 10.

A Few

Journeyman Rope-Makers Will meet with encouragement by applying as above.

The subscribers, indebted to them to call and discharge their respective accounts, on or before the tenth day of December next. Those who fail to pay proper attention to this notice, may expect to have legal application.

Boggs & Anderson.

November 19

WANTED TO PURCHASE,

A QUANTITY OF

## TALLOW;

For which a generous price will be given in Cash and Merchandise.

B. & A.

## Notice

IS hereby given, that commissioners will attend on the 2 Thursday in January next at a large spring on the Town fork of Elk-horn, about three miles from Lexington, known by the name of Joseph Lindley's upper big spring, the same where Thomas Lewis now lives, with sundry witnesses; then and there to perpetuate testimony respecting said Lindley's improvement, for which he obtained his certificate for a settlement and preemption from the commissioners and to do such other acts as shall be agreeable to law.

Joseph Lindley.

November 16.

TAKEN up by the subscriber, near the mouth of Tates creek, a black horse, four years old, thirteen hands high, no brands, appraised to 51.

William Bowlin,

September 7.

TAKEN up by the subscriber, Woodford county, clear creek, one bay mare, three years old, 12 hands high, star in her forehead branded on her near shoulder 69; valued to 123.

Mitchel Deriner.

July 15.

TAKEN up by the subscriber, near Rice's horse-mill, on the Hickman road, a brindled Stear, 5 years old, a white list on his back, white on his belly and on the inside of his hocks, marked with a crop, list and nick in the right ear, branded on the left horn C. C. and on the left buttock C. polled & appraised to 41. 10s.

SARAH MOSS.

October 26, 1795.

## Notice

IS hereby given to all to whom it may concern, that the Commissioners appointed by an order of the county court of Bourbon, made at their November court instant, agreeable to an act of assembly, entitled "An act to ascertain the boundaries of land, and for other purposes," will meet on Thursday the seventeenth day of December next, on the north east side of Hingford, near Strader's road, in order to take the deposition of witnesses to ascertain an improvement made by Ralph Morgan, on a Cherry tree marked R. M.

THOMAS HAMILTON,

HIRAM PRICE.

Bourbon county, Nov. 21, 1795.

TAKEN up by the subscriber, in Fayette near the Clerk's office, a dark bay Horse, about fourteen hands high, branded on the left shoulder S and on the left buttock L. B. some saddle spots, trots; appraised to 121. Also, a black horse colt, about two years old, about thirteen and a half hands high, a star, brand not legible, appraised to 71. 10s.

John Rickett.

October 13, 1795.

FOR SALE,

Two Hundred and Fifty Acres of LAND,

WITHIN two miles of Lexington, on the road leading to Georgetown, about fifteen acres cleared, well timbered, and a never failing spring. For terms apply to the subscriber living on the premises.

Robert Wallace.

November 19.

## BLANK DEEDS.

—On parchment or paper—For sale at the Office of the Kentucky Gazette.

## LEXINGTON.

PRINTED BY JOHN BRADFORD ON MAIN STREET.



## KENTUCKY GAZETTE EXTRA.

[NUMB. XIII.]

SATURDAY, DECEMBER 12, 1795

[VOL. IX.]

## No. IX.

## THE TREATY.

TO THE WELL DISPOSED PEOPLE OF KENTUCKY.

## Fellow-Citizens,

The sixteenth article taken as a part of the commercial system is, I believe, unexceptionable in itself. It is in the following words: "Article 16. It shall be free for the two contracting parties respectively to appoint consuls for the protection of trade, to reside in the dominions and territories aforesaid; and the said consuls shall enjoy those liberties and rights which belong to them by reason of their function. But before any consular shall act as such, he shall be in the usual forms approved and admitted by the party to whom he is sent; and it is hereby declared to be lawful and proper that in case of illegal or improper conduct towards the laws or government according to law, if the laws will reach the case, or be diminished, or even sent back, the offended government adjoining to the other their reasons for the same. Either of the parties may except from the residence of consuls such particular places as such party shall judge proper to be excepted."

I do not recollect to have heard any objection to this article, and it seems to me altogether proper.

The seventeenth article is in the following terms:—"It is agreed, that in all cases where vessels shall be captured or detained on just suspicion of having on board enemy's property, or of carrying to the enemy any of the articles which are contraband of war, the said vessel shall be brought to the nearest or most convenient port; and if any property of an enemy should be found on board such vessel, that part only which belongs to the enemy shall be made prize, and the vessel shall be at liberty to proceed with the remainder without any impediment. And it is agreed that all proper measures shall be taken to prevent delay in deciding the cases of ships or cargoes to be brought in for adjudication; and in the payment or recovery of any indemnification adjudged or agreed to be paid to the masters or owners of such ships."

This article is agreeable to the law of nations, which declares, the goods of an enemy, in the vessel of a friend, lawful prizes. And in other respects seems just and proper. And it is no objection of weight, to the treaty that the law of nations is not changed in this respect; since rejecting the treaty would not change the law of nations; nor can one party to a treaty change it without the consent of the other, as has been already observed in a former number.

The eighteenth article regulates what shall be deemed contraband of war between the two parties:—"In order to regulate what is in future to be deemed contraband of war, it is agreed that under the said denomination shall be comprised all arms and implements serving for the purposes of war by land, or sea, such as cannon, muskets, mortars, petards, bombs, grenades, carcasses, fuzes, cartridges for cannon, muskets, musket rests, bandoleers, gunpowder, match, saltpetre, ball, swords, bayonets, cutlasses, halberds, lances, javelins, horse furniture, holsters, belts, and generally all other implements of war, as also timber for ship building, tar,

or rosin, copper in sheets, sails, hemp, and cordage, and generally whatever may serve directly to the equipment of vessels, unwrought iron, and iron planks only excepted; and all the above articles are hereby declared to be just objects of confiscation, whenever they are attempted to be carried to an enemy."

"And whereas the difficulty of agreeing on the specific cases in which alone provisions, and other articles not generally contraband, may be regarded as such, renders it expedient to provide against the inconveniences and misunderstandings which might thence arise: It is further agreed, that whenever any such articles to become contraband, according to the existing laws of nations, shall for that reason be seized, the same shall not be confiscated, but the owners thereof shall be speedily and completely indemnified; and the captors, or on their default, the government under whose authority they act, shall pay to the masters or owners of such vessels the full value of all articles, with a reasonable mercantile profit thereon, together with the freight, and also the demurrage incident to such detention."

"And whereas it frequently happens that vessels sail for a port or place belonging to an enemy, without knowing that the same is either besieged, blockaded, or invested; it is agreed, that every vessel so circumstanced may be turned away from such port or place but shall not be detained nor her cargo, if not contraband, be confiscated, unless after notice she shall again attempt to enter; but she shall be permitted to go to any other port or place she may think proper. Nor shall any vessel or goods of either party that may have entered into such port or place before the same was besieged, blockaded or invested, by the other, and be found therein after the reduction or surrender of such place, be liable to confiscation, but shall be restored to the owners or proprietors thereof."

I shall consider this article by paragraphs, in the order they present themselves. And first of that, which relates to contraband goods. It is observable, that in this respect the article is in terms perfectly reciprocal; the same things which are made contraband on the one side, are also made so on the other. Yet when one party is at war, and the other at peace, during such a state of things it may be said to operate unequally; but this consequence results unavoidably from the nature of things. And a change in the situation of the two nations as to peace and war, will as unavoidably produce the correspondent change in the effects of the article. If the two parties should be both engaged in war at the same time, with different enemies, then the article would operate equally at the same time. Otherwise it can only operate equally in alternate periods, as the one may succeed the other in peace or war. If the article is then equal between the contracting powers, as I have shown it is, where is the ground of objection? It may be said that by extending the articles of contraband, commerce is restrained. Admitting it to be so; yet it is restrained equally, under equal circumstances. And although we feel the restraint most sensibly at present; yet if we were at war, and Great Britain at peace, we should, no doubt, be pleased that the war so restrained. If then we would provide against such situations, and secure to ourselves the benefit of such restraints, we must agree to submit to them in our turn.

The next paragraph in the arti-

cle relative to provisions, &c, not generally contraband, but which from particular circumstances may become such, reverses the situation of the parties, and at present operates altogether in our favor. For all admit, that there are cases, in which provisions, and other articles, not generally contraband, may nevertheless become so, by the existing laws of nations; and for that reason may be seized and confiscated. But by this paragraph it is agreed that in such cases, provisions and other articles to becoming contraband, although they may be seized, to prevent their going to the enemy, yet they shall not be confiscated, but the owners thereof shall be speedily and completely indemnified; and the captors, or on their default, the government under whose authority they act shall pay to the masters or owners of such vessels the full value of all articles, with a reasonable mercantile profit thereon, together with the freight and also the demurrage incident to such detention. This clause in the eighteenth article, I say, is placing commerce between the two countries on a better footing than it stood by the laws of nations, and during the time that England shall be at war, and the United States at peace, it operates entirely in favor of the United States; because nothing can occur on the other side to receive its operation. The same thing may be said of the last paragraph in this article, which respects a vessel's sailing for a port or place that is besieged, &c. This is during the present state of peace and war, between Great Britain and the United States, altogether in favor of the latter. And I have no hesitation in saying, that in my judgment the article is fair, and proper, and upon the whole advantageous to the commerce of the United States.

How far other nations not parties to this contract may feel themselves affected by it, is another question. It is a question however, in which the United States have nothing more to do, than to enquire if it infringes other treaties with such nations, or any of them; and being assured that it does not, & that it is perfectly consonant to her neutral situation, no man who says the United States are free, will doubt of her competency to adopt the article without incurring the reproach that is just.

The nineteenth article is, I presume also, without just cause of objection, notwithstanding it has met with censure. It is in the following words:

"And that more abundant care be taken for the security of the respective subjects and citizens of the contracting parties, and to prevent their suffering injuries by the men of war or privateers of either party, all commanders of ships of war and privateers, and all others the said subjects and citizens shall forbear doing any damage to those of the other party, or committing any outrage against them, and if they act to the contrary they shall be punished, and shall also be bound in the persons and estates to make satisfaction and reparation for all damages, and the interest thereof, of whatever nature the said damages may be. For this cause all commanders of privateers before they receive their commissions, shall hereafter be obliged to give before a competent judge, sufficient security by at least two responsible sureties, who have no interest in the said privateer, each of whom together with the said commander, shall be jointly and severally bound in the sum of fifteen hundred pounds sterling; or if such ships be provided with above

one hundred and fifty seamen or soldiers, in the sum of three thousand pounds sterling, to satisfy all damages and injuries, which the said privateer, or her officers, or men, or any of them may do or commit during their cruise, contrary to the tenor of this treaty, or to the laws, or instructions for regulating their conduct; and further, that in all cases of aggression the said commissions shall be revoked and annulled."

"It is also agreed, that whenever a judge of the court of admiralty of either of the parties, shall pronounce sentence against any vessel, or goods, or property belonging to the subjects or citizens of the other party, a formal and duly authenticated copy of all the proceedings in the cause, and of the said sentence, shall if required, be delivered to the commander of the said vessel without the smallest delay, he paying all legal fees and demands for the same."

The only objection which I recollect to have heard to this article was, to the finalness of the penalties under which the commanders of privateers are to be bound on receiving commissions. But I conceive this objection will be little thought of, when it is recollected that the provision in the article is applicable to commanders on our side, as well as to those on the side of Great Britain; and that to have made the penalty enormous, would have tended more to repel applications for commissions, than to have prevented injury;—because the commander who violates the treaty, is to be reduced by the loss of his commission. The article in other respects seems unexceptionable, and is to be found in substance in our other treaties.

The twentieth article is in the following words:

"It is further agreed, that both the said contracting parties shall not only refuse to receive any pirates into any of their ports, harbors, or towns, or permit any of their inhabitants to receive, protect, harbor, conceal, or assist them in any manner, but will bring to condign punishment all such inhabitants as shall be guilty of such acts or offences."

"And all their ships with the goods, or merchandizes taken by them and brought into the port of either of the said parties, shall be seized as far as they can be discovered, and shall be restored to the owners, or their factors or agents duly deputed and authorized in writing by them (proper evidence being first given to the court of admiralty for proving the property) even in case such effects should have passed into other hands by sale, if it be proved that the buyers knew, or had good reason to believe, or suspect that they had been piratically taken.—Those who are not disposed to favor sea robbers, will hardly object to this article."

In the twenty first article:—"It is likewise agreed, that the subjects and citizens of the two nations shall not do any acts of hostility or violence against each other, nor accept commissions, or instructions so to act from any foreign prince, or state enemies to the other party; nor shall the enemies of one of the parties be permitted to invite, or endeavor to enlist in their military service any of the subjects, or citizens of the other party; and the laws against all such offences and aggressions shall be punctually executed. And if any subject or citizen of the said parties respectively shall accept any foreign commission, or letters of marque for arming any vessel to act as a privateer against the other party, and be taken by the other party, it is



herely declared to be lawful for the said party to treat and punish the said subject or citizen, having such commission or letters of marque, as a pirate."

I do confess I see nothing in this article to correct. There are certain anarchists, who have vociferated loudly against it. They object to the restraint laid on our citizens, against their entering into the service of the enemies of Great Britain. And they also object to the severity of the punishment to be inflicted on those of the one nation who accept foreign commissions, or letters of marque for arming privateers to cruise against the other. It is observable that the article is reciprocal. In answering the first objection, there is one argument obvious, and at the same time conclusive, that I shall content myself with a bare recital. The United States by the proper authority has been declared in a state of neutrality; peace is the object of the government. If then when other nations are at war, our citizens remain at home, are we not more likely to continue in peace, than we should be, if our young men with respectable and influential connections were permitted to engage as soldiers of fortune, in foreign wars; besides if one may engage in foreign war, so may ten, if ten, why not a thousand, and what becomes of the national peace and tranquility, when our citizens shall complete the battalions of the powers at war? This restraint accords with the principles of our laws, which are nearly as comprehensive in their prohibitions as the article in question.

With respect to the second objection, it is much of the same cast, with the preceding, and so far will admit of the same reply. And further it may be observed, that the severity of the punishment annexed to the offence, was doubtless intended to prevent the crime. It is to be inflicted on none but those of either party who shall accept commissions or letters of marque from a foreign enemy to one of the parties to arm privateers to cruise against such party. And this being a great offence to one nation at peace with the other, certainly deserves the greatest punishment. The subject or citizen knowing the punishment annexed to the offence, by accepting the commission or letter of marque in such a case voluntarily incurs the risk of the punishment. But when it is objected that this article prevents citizens of the United States from expatriating themselves; it is an objection wholly without foundation.

H. MARSHALL.

October 29, 1795.

#### NO. IV.

TO HUNTERLY MARSHALL, one of the Senators from the State of Kentucky, in the Congress of the United States.

Continued.]

THIS article holds out a false and delusive idea of justice to the United States, for the sums which they will have to pay, in consequence of the operations of this article.

The proposition that the United States should pay all the old debts, now remaining due to British subjects, from American citizens, with interest thereon from the commencement of the American war; was too alarming and iniquitous, to be placed in the treaty, in its true and undisguised state; it has therefore been artfully clothed; but notwithstanding every attempt of this kind, its true nature is still discernible. You say, "that the treaty engages to pay no part of the debts, which the debtor by the ordinary course of judicial proceedings, can be compelled to pay, and it stipulates for the payment of such debts only, as have been recognised by lawful impediments contrary to the treaty of '82." Whether these restrictions contained in this article, will

really operate towards the reduction of the sum, with the payment of which the United States are to be ultimately saddled; will depend in a great measure, on the manner in which the judges of this new tribunal are to be appointed; and the way in which the claims of the British creditors are to be investigated, and to be decided on by them. This court may be objected to on two substantial grounds: 1. That there is the strongest reason to believe, that the judges will be partial: And 2. That if they mean to act honestly, they must always decide on the representation, and proof, brought forward by one side, and that the side of the British creditor. There is no doubt but that the commissioners appointed on the part of the British, will be warmly attached to their interests; but it is more than doubtful, that the American commissioners will be in the British interest; these doubts are suggested by the following considerations: All the men who have yet been appointed to negotiate any business with that nation, (including Jay,) have been confessedly its friends: it will be considered as essentially necessary, to the carrying the treaty into execution, to appoint such persons as are friendly to its principles; and if such men are appointed, they must favour the British interest whenever it comes into opposition with the American, because that was the manifest intention of the treaty; and no honest man, who is a real friend to his country, will be concerned in carrying into execution a treaty, which is so much in opposition to the constitution, and true interests of his country. But I will admit, for argument's sake, and such an admission can only be made for the sake of an argument, that two real friends to the interests of their country, shall be appointed the American commissioners: when they meet with the British commissioners, every artifice will be practised on them, to make them concur in the appointment of a fifth man, who will be well affected to the British interest; and when we recollect, how many of that character will be in their way, and how little some of them are known, it is a thousand to one, but that they will be deceived in their choice; but admitting they withstand all solicitations, and compell the British agents to put it to chance to decide, it will be at least equal in favour of the partizan of the British, and if the chance does fall upon him, then the American commissioners will be cyphers, and only serve as witnesses to the decisions made by the others. But admitting that luck should be on our side, and that our commissioners are worthy themselves, and are not deceived in the character of the man whose name they put in the box, they will be foiled up, by the directions of the sixth article, as I have already shown in the case of interest, that it will not be in their power to do their country justice. Further, all that can be expected from the most upright judges is, that they shall decide properly on the cases brought before them. On the part of the British creditor every inducement of interest, will operate to bring the question in as favourable a light as possible for himself, before the commissioners; but on the part of the United States, there is no person whose duty it is, to seek after the necessary information, even if it was possible to obtain it, after such a length of time, and in the remote and dispersed situation in which such information could be got, by the most zealous and industrious inquirer. When we add to these circumstances, the advantages which the British creditor will have, by being able to make testimony for himself, by the means of the *extrajudicial* from his own books, we may conclude with certainty, that there are very few claims, which will not be substantiated, to the satis-

faction of the commissioners. It would therefore have saved both time and expence, to have agreed to pay all the claims, which they chose to put in; for that must ultimately be the case, where *only one party is heard*; where he is allowed to be his own witness, and where his friends are his judges. But supposing that this new court should, contrary to all human probability, decide fairly and honestly; I ask, how is the United States to obtain satisfaction, for what they will have to pay under those decisions. The treaty says: "And the United States undertake to cause the sums so awarded to be paid on condition of such releases or assignments to be given by the creditor or claimant, as by the said commissioners may be directed." These assignments which are required by this article, must have been intended to convey the idea, that the United States should be reimbursed the sums to be paid by them, from some quarter or other. And you say when speaking of the liability of those States, whose legislatures have created those lawful impediments, "that it is a principle not to be controverted, that the same rule of justice which prescribes compensation to the injured, equally demands it of the injuring party." The inference cannot be mistaken." If this inference is that the offending States must be made to pay it, I ask, how this is to be effected? by what mode it can be done? And what part of the constitution it is, which will authorise the general government to attempt it? On what could the claim of reimbursement be founded? On nothing but the decision of this new tribunal, that the State legislature had enacted a lawful impediment to the recovery of British debts, since the treaty. But the State would deny the fact, and the competency of this tribunal to the decision of that question, or of the claim of the original creditor on the debtor; and from every principle of justice, law or the constitution, the State would not be bound by such decision. There is now a question of that kind, before the supreme court of the United States; suppose they should determine it in one way, and this new tribunal in another; which would be the legal decision, so as to bind either the State or individuals? It is obvious that this clause does not contemplate a decision of the question; whether there is a lawful impediment or not, by the courts of the United States; because it leaves the determination of every claim of a British creditor, to this new tribunal, and restricts them to 18 months for receiving such claims: now these questions may not be carried through the courts of the United States in that time; and therefore this article could not mean, to make their decisions depend on the determinations of those courts: besides no such index is expressed in the article. We may therefore if your doctrine and the idea which is thrown out by the treaty, of reimbursement by the individual States, is right, see here after a decision by the Supreme Court of the United States that there is no lawful impediment to the recovery of British debts, in the State of Virginia; and a contrary determination, by a majority of the sitting members of this new tribunal, consisting of a Scotchman and an English Tory; and that sovereign and independent State, called on to pay the amount of their judgment, contrary to the decision of the same question, by the supreme court of the United States. This doctrine is so absurd, that neither Jay nor yourself could believe it; and therefore when you hold out to the citizens the United States at large, that those you call the offending States, will be obliged to make compensation to the United States, you must have done it with an intention to deceive them. Your great argument in support of the treaty is, that it was the only way to avoid war, which

must have been supported by taxes levied on the farmer, the laborer, and the mechanic. If this argument was sufficiently strong, to prevent our inflicting on our just rights, how I ask, did it happen to be overlooked, when the treaty was fixing on those same farmers, laborers, and mechanics, the payment of an enormous sum of money, contrary to every principle of policy, and contrary to the justice due from our government and the British nation, to such of our fellow citizens, as had been injured by the infraction of the treaty of '82. It is curious that Jay, when Chief Justice of the United States, should first give it as his opinion, that there was no lawful impediment to the recovery of the British debts in the State of Virginia, and then agree to this article, upon a supposition that there was such a lawful impediment. The real interest of the creditor and debtor, as to this question is now so materially changed by this treaty; that, the British merchants will now labour, as much to prove that there are such legal impediments, as they before did, that no such impediments existed: and I should not be at all surprised to hear, that a deputation of Scotch merchants, had offered P. H. a thousand guineas, to deliver for them, before the court of commissioners, the able argument, which he delivered against them, on the same question before the federal court at Richmond; I mean only, that it is probable, that they would take this step, if they should find that more solid arguments, would not be received from themselves, by the Commissioners.

A FREEMAN.

(To be continued.)

CALAIS, Sept. 7.

The inhabitants of this town were yesterday assembled in compliance with the late decree of the convention, for the purpose of accepting or rejecting the new constitution. The section of the week met in what is called the temple and that of the east in the cimetière church. The constitution was unanimously accepted by both sections, but the decree directing the electoral bodies to choose two thirds of the members of the new legislature, from among the deputies who now form the convention, was unanimously rejected.

The electors, it is here said, are likely to pursue a similar mode of conduct throughout the whole republic. Perfect tranquility reigned during the whole day, and indeed the manner in which the electors conducted themselves was highly honourable to them. They saw very properly the magnitude of the object which engaged their attention, and felt how criminal they might justly be deemed, if, for a moment they neglected their duty on that day when the conduct of the electoral bodies was to determine on the future happiness of France—on the happiness or misery of twenty five millions of human beings.

The conduct of the inhabitants of Calais was that of thinking, rational men, of patriots, of philanthropists.

All party spirit, all animosity, every thing that could create dissension was forgotten. One grand object occupied their attention—to France a free constitution, founded on the solid basis of reason seemed to be the sole desire that animated the electors of Calais. That views equally pure may be discovered by all the electors throughout the Republic, must be the ardent wish of every man who possesses the smallest particle of philanthropy.

A Philosopher and a wit were at sea, and a high swell rising, the philosopher seemed under great apprehensions lest he should go to the bottom. "Why," observed the wit, "that will suit your genius to a title; as for my part, you know, I am only for skimming the surface of things."